



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/061,830	01/31/2002	Qin Liu	10014405-1	2306

7590 03/28/2007
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

YUAN, DAH WEI D

ART UNIT	PAPER NUMBER
----------	--------------

1745

MAIL DATE	DELIVERY MODE
-----------	---------------

03/28/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

10/061,830

EXAMINER

ART UNIT

PAPER

20070323

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The supplemental reply brief filed February 1, 2007 has been entered and considered. Appellants argue that the recitation "fuel supply means" comprises a thermal drop ejector (128), a manifold (146) and a fan (148). See page 3. In fact, the "fuel supply means" is not explicitly defined in the instant specification as to the scope of the means-plus-function element. The scope of the recitation is understood and interpreted to limit to the fuel supply apparatus (118a), which produces a spray of droplets with a thermal drop ejector (128). Support for the claim interpretation stems from page 6, lines 5-7 of the specification. (Supplemental Examiner's Answer, page 6). Conventionally, Office personnel are to give their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claims. See in re Zletz, 893 F.2d 319, 321-22, 13 USPQ2d 1320 (Fed. Cir. 1989). Therefore, examiner respectfully submits that the Board's instruction set forth in the Remand to interpret the "means" claim language in claims 8 and 20 has been met and fully addressed.

To further address Appellant's arguments that fuel supply means further comprises a manifold and a fan (which examiner does not agree). Kindler et al. teach a direct methanol fuel cell system, wherein the liquid fuel is supplied via a duct (29) (i.e., manifold) to a pump (20), which is provided for circulating the liquid fuel to an aerosol generator (21) (i.e., fuel supply apparatus). See Figure 1, Column 5, Lines 37-50. The pump is a device that transfers or compresses fluid by suction or pressure or both. The pump is considered to function as a fan, which is used to move or impel the liquid fuel as shown in figure 4 of the instant specification. Therefore, claims 8 and 20 remain to be anticipated by Kindler reference even if the scope of the recitation "fuel supply means" is understood in accordance with the interpretation of the Appellants.

The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

DAI-WEIYUAN
PRIMARY EXAMINER